

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Nathanael L. Reynolds,)	C/A No.: 4:15-695-MGL-SVH
)	
Plaintiff,)	
)	
vs.)	
)	ORDER
Sheriff John H. Bartell, Jr.; Investigator)	
Kennedy; and Officer W. Jackson, #310,)	
)	
Defendants.)	
)	


Nathanael L. Reynolds (“Plaintiff”), proceeding pro se and in forma pauperis, filed this civil rights action pursuant to 42 U.S.C. § 1983, alleging violations of his constitutional rights. He sues former Williamsburg County Sheriff John H. Bartell, Jr. and Williamsburg County Sheriff’s Department officers Kennedy and Jackson (collectively “Defendants”). This matter is before the court on Plaintiff’s motion to amend. [ECF No. 16].

In his motion to amend, Plaintiff seeks to: 1) clarify that Investigator Kennedy is “A. Kennedy,” (2) clarify that he is suing Defendants in their individual and official capacities, (3) provide additional factual allegations about Kennedy and about Jackson’s alleged failure to file a supplemental report, (4) add an allegation that he wrote grievances to Bartell, to which he never received a response, and (5) add a request for injunctive relief. [ECF No. 16]. “[L]eave [to amend] shall be freely given when justice so requires.” Fed. R. Civ. P. 15(a). “A motion to amend should be denied only when the amendment would be prejudicial to the opposing party, there has been bad faith on the

part of the moving party, or the amendment would be futile.” *HCMF Corp. v. Allen*, 238 F.3d 273, 276 (4th Cir. 2001) (internal quotation marks omitted).

Plaintiff’s proposed amendment is futile, as the undersigned has issued a Report and Recommendation contemporaneously with this order, recommending Defendants be granted summary judgment. The undersigned has reviewed the proposed amendment and finds that the additional legal and factual allegations would not change the recommendation. Therefore, the undersigned denies Plaintiff’s motion to amend without prejudice. If the district judge denies Defendants’ motion for summary judgment, Plaintiff may renew his motion to amend.

IT IS SO ORDERED.



December 23, 2015
Columbia, South Carolina

Shiva V. Hodges
United States Magistrate Judge